

## REMARKS

Claims 45-84 remain in this application. Claims 17 and 20-44 have been cancelled without prejudice. Claims 45-84 have been added. No new matter has been added. The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

### 35 U.S.C. §103 Rejection – Usami In View of Havemann and Doo

In the parent application, the Examiner has rejected claims 17, 24-30 and 35-37 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,222,269 to Usami (hereinafter referred to as “Usami”) in view of U.S. Patent No. 5,751,066 to Havemann (hereinafter “Havemann”) and U.S. Patent No. 4,153,988 to Doo (hereinafter “Doo”).

The rejected claims have been cancelled. For the Examiner’s convenience, the Applicants respectfully point out that new independent claims 45, 63, and 69 approximately correspond to old independent claims 17, 24, and 27.

**Claim 45** recites at least, *“patterning the mask layer such that the first and second power interconnect lines and a first portion of the patterned first layer are covered, and the third and fourth signal interconnect lines and a second portion of the patterned first layer are uncovered”,* and *“depositing a second layer of a second dielectric material between the third and fourth signal interconnect lines, the second dielectric material having a smaller dielectric constant than the first dielectric material”*.

Usami and Havemann do not teach or suggest: (1) power lines, (2) patterning such that power lines are covered and signal lines are uncovered, nor (3) depositing a smaller dielectric constant material between signal lines than between power lines.

In the Office Action mailed May 8, 2002 the Examiner admitted that Usami lacks specifying that the plurality of interconnect lines include power interconnect lines (first and second) and signal interconnect lines (third and fourth). The Applicants respectfully agree. There is absolutely no mention of power lines in Usami. Furthermore, there is absolutely no mention of power lines in Havemann. Usami and Havemann simply do not discuss power lines or power driver noise. Instead, Usami and Havemann are limited to signal lines. There is absolutely no mention whatsoever that the disclosure has relevance to power lines or power driver noise. This being the case, it is not surprising that there is also no teaching or suggestion of patterning such that power lines are covered and signal lines are uncovered. There is also no teaching or suggestion of depositing a smaller dielectric constant material between signal lines than between power lines. Accordingly, Usami and Havemann clearly do not teach or suggest the limitations of claim 17.

The Examiner has proposed modifying Usami based on Doo in order to reject claim 17. The Examiner has stated that Doo teaches that increasing the capacitance of a power line will reduce driver noise. The Examiner has further stated that:

*"Anyone in the semiconductor art would realize that, for a given separation between a pair of interconnect lines, the capacitance between the pair can be readily increased by utilizing a high-dielectric-constant material between the pair of lines, i.e., can be readily increased in comparison to utilizing a low-dielectric-constant material between the pair of lines. In other words, given (i) a plurality of interconnect lines formed on the same level of metallization and (ii) two different dielectric-constant materials that are to be incorporated between the plurality of lines, the knowledge generally available to one of ordinary skill in the art clearly shows it is desirable to utilize the lower-dielectric-constant material between the interconnect lines which will be used for signal lines and to utilize the higher-dielectric-constant material between interconnect lines which will be used for power lines."*

The Applicants respectfully disagree with the modification of Usami and/or Havemann and with the obviousness rejection because there is no teaching, suggestion or motivation to modify the references as proposed by the Examiner. To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some teaching, suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Third, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on Applicant's disclosure. In re Vaack, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

The modification proposed by the Examiner is allegedly based on what is known by one of ordinary level of skill in the art. However, it is not known to reduce driver noise between power lines and reduce parasitic capacitance between signal lines in a given interconnect level by using different materials between the power lines than between the signal lines. The Examiner has not documented that this knowledge is available to one of ordinary level of skill in the art. Doo does not discuss using different materials between signal lines and power lines. Usami and Havemann do not discuss power lines or driver noise. Accordingly, the Examiner has not established a prior art teaching, suggestion, or motivation that it would be desirable to use a first dielectric material between a plurality of power lines and a second dielectric material between a plurality of signal lines. As was stated in In re Gordon, 221 USPQ 1125, 1127 (Fed. Cir. 1984), "The mere fact that the prior art could be so modified would not have made the modification obvious unless the prior art suggested the desirability of the modification." (emphasis added). Therefore, it is simply improper to add to either Usami or Havemann features for which they have no interest or need, since they do not discuss power lines or power driver noise.

The Examiner's conclusion appears to be based on hindsight reasoning. Only using 20-20 hindsight, with the Applicant's own disclosure serving as a guide or roadmap, would the Examiner concluded that different materials may be used between power lines than between signal lines to reduce power line driver noise and signal line parasitic capacitance. Certainly this is not taught or suggested in any of the cited art references taken alone or in combination.

Accordingly, claim 45 is believed to be allowable. **Claims 46-49** depend from claim 45 and are believed to be allowable therefor as well as for the recitations independently set forth therein.

**Claim 63** is believed to be allowable for reasons similar to those discussed above for claim 45. **Claims 64-68** depend from claim 63 and are believed to be allowable therefor as well as for the recitations independently set forth therein.

**Claim 69** is believed to be allowable for reasons similar to those discussed above for claim 45. **Claims 70-73** depend from claim 69 and are believed to be allowable therefor as well as for the recitations independently set forth therein.

### **35 U.S.C. §103 Rejection – Havemann in view of Doo**

In the parent application, the Examiner has rejected claims 20-23, 31-34 and 38-44 under 35 U.S.C. §103(a) as being unpatentable over "Havemann" in view of "Doo".

The rejected claims have been cancelled. For the Examiner's convenience, the Applicants respectfully point out that new independent claims 50, 56, and 74 approximately correspond to old independent claims 20, 23, and 38.

**Claim 50** is believed to be allowable for reasons similar to those discussed above for claim 45. **Claims 51-55** depend from claim 50 and are believed to be allowable therefor as well as for the recitations independently set forth therein.

**Claim 56** is believed to be allowable for reasons similar to those discussed above for claim 45. **Claims 57-62** depend from claim 56 and are believed to be allowable therefor as well as for the recitations independently set forth therein.

**Claim 74** is believed to be allowable for reasons similar to those discussed above for claim 45. **Claims 75-84** depend from claim 74 and are believed to be allowable therefor as well as for the recitations independently set forth therein.

### **The Dependent Claims Are Even More Distinguishable**

Claim 78 recites, *"making an interconnect structure comprising a third pair of interconnect lines having a third dielectric material disposed therebetween, wherein the third dielectric material has a third dielectric constant that is different than the first and the second dielectric constants"*. This is not taught or suggested in the cited art references. Accordingly, claim 78 is believed to be allowable. Claim 61 is believed to be allowable for similar reasons.

### **Conclusion**

The Applicants respectfully submit that the rejections have been overcome by the amendments and remark, and that the claims as amended are now in condition for allowance. Accordingly, the Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed. The Examiner is requested to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

### **Charge our Deposit Account**

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: Nov. 8, 2002

Brent E. Vecchia

Brent E. Vecchia  
Reg. No. 48,011

12400 Wilshire Boulevard  
7<sup>th</sup> Floor  
Los Angeles, California 90025-1026  
(303) 740-1980

**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**In The Claims:**

Claims 45 – 84 are new.



RECEIVED  
NOV 19 2002  
TC 2800 MAIL ROOM